

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 838 of 2005

Between:

Y. Sailoo, S/o. Ramaiah,
R/o. Sadasivanagar village and Mandal, Nizamabad District.

..... PETITIONER

AND

- 1 The Joint Collector (Civil Supplies), Nizamabad District, Nizamabad.
- 2 Revenue Divisional Officer, Kama Reddy, Nizamabad District.
- 3 Mandal Revenue Officer, Sadasivanagar Mandal, Nizamabad District.
- 4 District Supply Officer, Nizamabad, Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus declaring the order of the 2nd respondent herein vide proceedings No.B1/1601/2004, dt. 10.11.2004, placing the authorization of the Petitioner in respect of Fair Price Shop No.3 of Sadasivanagar Village and Mandal, Nizamabad District, as illegal, arbitrary and contrary to law and consequently direct the respondents to permit the petitioner to run the said F.P. Shop as usual forthwith.

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents and with their consent the writ petition is taken up for disposal at the stage of admission.

Questioning the order of the second respondent-Revenue Divisional officer, Kamareddy, Nizambad District, in proceedings No.B1/1601/2004, dated 10-11-2004, suspending the authorization of the petitioner in respect of Fair Price Shop No.3 of Sadasivanagar village and Mandal, Nizambad District, the petitioner filed this writ petition.

The main grievance of the petitioner is that though he preferred an appeal before the first respondent under Section 20(1)(i) of A.P. P.D.S. Control Order, on 29-12-2004, against the impugned order of the second respondent, the first respondent has not passed any orders so far. Hence, the writ petition.

Even though notice before admission was issued, no counter-affidavit is filed on behalf of the respondents.

Under the circumstances, instead of keeping the writ petition pending, I deem it appropriate to direct the first respondent-Joint Collector (Civil Supplies), Nazambad District, Nizambad to dispose of the appeal filed by the petitioner, dated 29-12-2004 against the impugned order of the second respondent dated 10-11-2004, in accordance with law, as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, the petitioner shall run the Fair Price Shop in question.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

N.V. RAMANA, J

Date: 21-4-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Joint Collector (Civil Supplies), Nizamabad District, Nizamabad.
- 2 Revenue Divisional Officer, Kama Reddy, Nizamabad District.
- 3 Mandal Revenue Officer, Sadasivanagar Mandal, Nizamabad District.
- 4 District Supply Officer, Nizamabad, Nizamabad District.
- 5 Two CCs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad (OUT).
- 6 Two CD copies

